

Revised Summary
Gaithersburg Day Laborer Task Force Meeting
March 7, 2006, 7:30 p.m.
Casey Community Center, Room A

I. Approval of Summary of 2/28/06 Meeting

A motion was made to approve the February 28, 2006 Gaithersburg Day Laborer Task Force Meeting Summary. The motion passed.

II. Vote on Option B Final Report – “Ordinances”

The following concerns were expressed in reviewing the Final Option B Report in preparation for a vote:

- It was believed that the third paragraph on page 6 implied that day laborers were law breakers. Furthermore it was thought to imply that the task force believed that the day laborers were of the nature that required a specific division of the police to deal with them.
- It was stated that it was not a crime to be a day laborer and it was unrealistic for police to focus services on one segment of the population.
- Disagreed with reference regarding need for new ordinances.
- Third paragraph on page 6 contained conclusions and recommendations, information that the task force previously defined as belonging in the Option Report rather than the Research Reports.
- Reference to “sporadic” patrolling made the police look bad.
- Paragraph 3 on page 2 which referenced “implementation of community response division,” presented the same concern regarding implication that day laborers were inclined to engage in criminal activities against the community.
- Issue was taken with phrase “tensions in our community” as being too broad and providing the potential to be misconstrued as having racial overtones.

A discussion ensued in which task force members attempted to address the above concerns. In referencing the third paragraph on page 6, Chair Prentiss Searles noted that it was not the intent of the original language to imply that day laborers were criminal in nature and that he had not read it as such. However, he stated that he could see how it could be misinterpreted. Furthermore, he stated that if there was language in the report that allowed the true intent to be misconstrued, it should be reworded. As such, based on input from all of the task force members, where everyone had an opportunity to provide input and suggest changes, Prentiss suggested the following changes:

- Paragraph 3 on page 6 was rewritten as follows:

Changed from: ...dedicated to the consistent monitoring, mediation and (when necessary) enforcement of the day labor situation in our community.

To: ...to consistently monitor, mediate and enforce (when necessary) necessary ordinances to maintain public order.

Changed from: ...personnel that are unable...

To: ...personnel who are unable...

Changed from: ...monitoring and controlling the impact of day laborers on their respective communities.

To: ...maintaining public order.

Changed from: ...built, it will not be able to successfully...

To: ...built, it may face challenges to successfully...

Changed from: ...tensions in our community.

To: ...issues we face.

The last sentence of the paragraph was deleted as it was determined to be a recommendation and, as such, would be considered for inclusion in the Options Report.

- Paragraph 3 on page 2 was deleted in its entirety as it focused on recommendations and, as such, would be considered for inclusion in the Options Report.

One task force member argued for the creation of a dissenting paper as a means of addressing areas of disagreement. The argument was countered on the grounds that the whole purpose of a committee approach was to gain consensus and that the report was modified and now addressed (as agreed to by those offering comments) the concerns raised. At this point a motion was called for and a vote taken.

A motion was made to accept the Option B Research Report as amended. The motion passed.

Vote: 9 For / 4 Against

III. Report & Discussion: Task Force “Charge #4” – Location Criteria

Task force member Michael Wiencek presented the task force with three handouts dealing with

- Zone Compatibility (table format)
- Potential location/site features/center features (table format)
- Characteristics/site management (text format)

It was stated that the two 11 x 17 printouts, done in table format, were a compilation of the information presented in the “Charge 4” PowerPoint.

In reviewing the handouts it was noted that the Characteristics/Site Management document incorporated much of the other two handouts but presented them in a text format. The task force decided that the text format was a more appropriate format for this information. It was also decided that the title, “Characteristics/Site Management” would be changed to “Criteria/Site Management.” In reviewing the “Criteria/Site Management” document task force members noted the following:

- A day laborer center is viewed as a construction related use and it would be more appropriately located in an industrial area rather than residential or office.
- Commercial areas are not all the same. Retail use is different than office use. Even certain office uses may not be compatible with a day laborer center.
- Well buffered site is important, but if the access path takes workers through a residential neighborhood, buffering is mute. Primary access should utilize routes that do not take workers through residential or office areas.
- Putting a center in an appropriate site is more important than putting it near workers’ homes.
- Focus should be on industrial/light industrial areas. Some commercial areas might also be considered but priority should be given to protecting the integrity of the neighborhoods.
- In regard to compatibility, it was noted that businesses that supply construction materials, such as lumber yards, are usually separated from residential areas by a good distance and their customers may be potential employers.
- Allow centers in commercial/industrial areas with special exception.

One task force member stated that the task force’s job was to identify criteria that would qualify a site and that they didn’t need to find criteria that would fit Gaithersburg specifically. It would be up to the City to identify a site that would meet the criteria. Another member cautioned that the task force’s recommendation might be ignored if criteria specifically ruled out siting a center in Gaithersburg.

Assistant City Manager Tony Tomasello noted that the task force’s charge was explicit in regard to providing criteria and he stressed the recommendation he made at the last meeting that the criteria be prioritized.

Chair Prentiss Searles noted that a review of criteria was scheduled for the March 21, 2006 meeting. He stated that a copy of the Criteria/Site Management document would be sent to all task force members for review. Members were directed to send any comments/changes/additions to Michael Wiencek as soon as possible but no later than Friday, March 10, 2006.

IV. Old Business

A. Review Option A Report

Subcommittee A leader Cathy Drzyzgula distributed a new page 4 to replace the one that had originally been included in the report. She noted that the replacement page contained a few last minute changes. Cathy also relayed to the task force a request that the following attachments be included in the report:

- CASA rules (translated as needed)
- Herndon rules
- Glendale report

In reviewing the request, it was decided that the CASA and Herndon rules should be included. In regard to the Glendale report, it was thought that the report was not specific to Option A and that there was a cross-over of information that could apply to Option B as well. The task force declined to include the report favoring instead to consider it for attachment to the Options Report.

A motion was made to not attach the Glendale Report to the Option A Research Report. The motion passed.

Subsequent to the review, the task force agreed that all required amendments had been completed and that Option A was ready to be put to a vote.

**A motion was made to approve the Option A Research Report as amended, including the attachment of the CASA and Herndon rules. The motion passed.
(One member opposed.)**

B. Review Option C Report

Option C leader Rich Koch noted that he had received no comments or additional input in regard to the Option C Research Report – Employment Agencies.

A motion was made to accept the Option C Research Report as written. The motion passed.

V. New Business

A. Consideration of Public Input

Prentiss noted that the packet of public input provided to the board consisted of input that had been forwarded to the task force as received. He advised the task force to review the public input and to keep it in mind as they worked on identifying options. Prentiss urged task force members

to begin creating their own lists of options as well as lists of pros and cons relative to those options. Members were asked to submit options/pros & cons lists to Prentiss by noon on Saturday, March 11. He would review the documents and forward them to Cindy for further formatting.

A question arose as to whether there was an obligation on the part of the task force to allow the individuals that submitted public input an opportunity to expand on their submissions. The board was referred to its Policy for Public Input as stated in their January 3, 2006 meeting summary. Furthermore it was noted that the policy served the purpose for which it was designed – providing a means of allowing the public to provide input to the task force.

B. Final Three Meetings - Logistics

The task force was informed that if necessary the last couple of meetings could run longer but that arrangements would need to be made in advance by contacting either Tony Tomasello or Cindy Hines.

A request was made for water to be provided to task force members for the remaining meetings.

VI. Adjournment

The meeting was adjourned at 9:26 p.m.